

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VENANCIO ESTEBAN RIEGO,

Petitioner,

v.

MINGA WOFFORD,

Respondent.

Case No. 1:24-cv-01162-SKO-HC

ORDER GRANTING PETITIONER'S
MOTION TO AMEND TO NAME A
PROPER RESPONDENT
[Doc. 14]

ORDER SUBSTITUTING MINGA
WOFFORD AS RESPONDENT

Petitioner is a non-citizen detainee proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. He filed the instant petition on March 25, 2024. Upon review of the petition, the Court found Petitioner had failed to name a proper respondent. Thus, on October 3, 2024, the Court granted Petitioner leave to amend the respondent to avoid dismissal of the action. (Doc. 12.) On October 24, 2024, Petitioner filed a motion to amend the respondent. (Doc. 14.)

DISCUSSION

A petitioner seeking habeas corpus relief must name the officer having custody of him as the respondent to the petition. 28 U.S.C. § 2242; Rumsfeld v. Padilla, 542 U.S. 426, 430 (2004); Ortiz-Sandoval v. Gomez, 81 F.3d 891, 894 (9th Cir. 1996). As explained by the Supreme Court in Padilla, the proper respondent in habeas cases “is the warden of the facility where the prisoner is being held, not the Attorney General or some other remote supervisory

ORDER

IT IS SO ORDERED.

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE